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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,916	11/09/2000	Dragan Sretenovic	1521-190	3667

570 7590 10/06/2004

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EXAMINER

VU, THONG H

ART UNIT PAPER NUMBER

2142

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/709,916

Applicant(s)

SRETENOVIC, DRAGAN

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-9 canceled.
2. Claims 10-26 are pending. Claims 10-12 have been amended. Claims 13 -26 are new. Applicant's arguments with respect to claims 10-12 have been considered but are moot in view of the new ground(s) of rejection. Therefore the Final action is appropriate.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10-12 are rejected under 35 U.S.C. § 103 as being unpatentable over Krishnamurthy et al [Krishnamurthy 6,389,464 B1] in view of Smith et al [Smith 6,785,015 B1].
4. As per claim 10, Krishnamurthy discloses a method using a computer system for presenting values of variables (i.e.: parameters) from a selected type of device (i.e.: network device) to a user interface in a (*human-understandable*) form, the system including a data engine (i.e.: software, SNMP engine) for interfacing with a data dictionary (i.e.: database) and a data agent (i.e.: network driver/ NIC) which is connected to the device [Krishnamurthy, a network agent /browser displayed the parameter of network devices using a software link to a database, abstract], the method comprising the steps of:

obtaining by the data engine from the data dictionary names of variables associated with the selected type of device and information about the language of the type of device [Krishnamurthy, select the variable/parameter associated with network device type and protocol, col 11 line 10-col 12 line 23; different types, col 14 lines 44-65];

obtaining, by the data agent, based on the selected type of device values of the variables [Krishnamurthy, select parameter based on network device type, col 11 line 64-col 12 line 23];

obtaining, by the data engine, from the data agent, the values obtained by the data agent [Krishnamurthy the software processed the parameters, SNMP engine, col 16 lines 17-42; col 17 lines 10-34];

translating, by the data engine, the obtained values into the (*human-understandable*) form using the information obtained from the data dictionary [Krishnamurthy, conversion operation with MIB variable and Database, col 9 lines 55-65; col 11 lines 10-38; col 12 lines 34-51];

presenting, by the data engine, to the user interface, the translated values in the (*human-understandable*) form [Krishnamurthy, native protocol and format, col 14 lines 44-65].

However Krishnamurthy does not detail the form is translated to a human readable form (i.e.: plain text). A skilled artisan would have motivation to improve the conversion process on Krishnamurthy apparatus and found Smith teaching. Smith discloses a network monitoring with a plurality of different language or protocols (i.e.:

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SNMP, IPX, HTML, SMTP, TCP/IP) could rewrite / translate / convert the information into the human-readable form or plain text as taught by Smith [Smith, a computer system with SNMP, HTML, IPX, SMTP, col 4 lines 37-65; a plain text or human readable text, col 5 lines 17-39; interpreted by processor, col 10 lines 32-42]

An Official Notice is taken that the technique of translate the information to a human readable form or plain text was well-known in the art [see Barrett reference].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the technique of network using HTML, SNMP and translates information to the plain text or human readable form as taught by Smith into the Krishnamurthy in order to utilize the conversion process. Doing so would provide a quick, simple and efficiency to management information via Internet.

5. As per claim 11, Krishnamurthy-Smith disclose communicating with a data central (i.e.: web server) which is external (i.e.: remote device) to the system, for obtaining the names of variables associated with the type of the device and the language of the type of the device when after communicating with the data dictionary the names of the-variables the language or the protocol are not available (i.e.: non-manageable) from the data dictionary to facilitate translation of the values into the human-understandable form [Krishnamurthy, non-SNMP manageable devices and remote monitoring and control, col 5 lines 60-col 6 line 20].

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6. As per claim 12, Krishnamurthy-Smith disclose storing, in the data dictionary, the names of the variables associated with the type of the device and the language of the type of the device obtained from the first data central [Krishnamurthy, name, class, variables, col 11 lines 39-63; port driver, col 12 lines 53-col 13 line 50].

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 13-26 are rejected under 35 U.S.C. § 102(e) as being anticipated by Krishnamurthy et al [Krishnamurthy 6,389,464 B1].

8. As per claim 13, Krishnamurthy discloses a method, using a computer system, for establishing communication with a device, said device having a known network address but having a language and/or protocol for communication with the device that is unknown to the system, said computer system comprising a data engine and a plurality of data agents, each one of the plurality of data agents being associated with a specific language and protocol, the method comprising the steps of:

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(a) selecting one of the plurality of data agents based on the network address

[Krishnamurthy, IP address, col 10 line 59-col 11 line 37];

(b) communicating with a data dictionary to obtain names of variables associated with a union of the selected network address and the selected data agent

[Krishnamurthy, name, class, variables, col 11 lines 39-63; port driver, col 12 lines 53-col 13 line 50]; and

(c) obtaining values of the variables from the device at the selected network address using the language and protocol of the selected data agent, wherein if the values are obtained, a type of the device is determined from the values of the variables, and if the values are not obtained, repeating steps (a), (b) and (c) until the values are obtained [Krishnamurthy, the driver is selected from a given parameter or variable, the user select port number and the appropriate driver. Thus, if the value is not correct then user can repeat the process with other variables, col 12 lines 1-23].

9. As per claim 14, Krishnamurthy discloses if the names of the variables associated with the network address and the selected data agent are not obtained from the data dictionary, communication is automatically established between the data dictionary and a data central for obtaining the names of the variables, the data dictionary being thereafter automatically updated with the names of the variables obtained from the data central [Krishnamurthy, the driver is selected for a given parameter or variable, the user select port number and the appropriate driver. Thus, if

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the value is not correct then user can repeat the process with other variables, col 12 lines 1-23;].

10. As per claim 15, Krishnamurthy discloses establishing communication between the data dictionary and the data central is via a hyper-text markup language link [Krishnamurthy, HTML, col 7 lines 54-65].

11. As per claim 16, Krishnamurthy discloses communicating with the data dictionary to obtain the names of variables associated with the type of the device [Krishnamurthy, MIB database, col 13 lines 50-65].

12. As per claim 17, Krishnamurthy discloses establishing communication with the device to obtain values of variables associated with the type of the device [Krishnamurthy, configuration of any of the MIB managed devices, col 11 lines 10-37].

13. As per claim 18, Krishnamurthy discloses translating the names and the values of the variables into a language understandable by a human [Krishnamurthy, device native protocol and format, col 14 lines 44-65].

14. As per claim 19, Krishnamurthy discloses if the names of the variables associated with the type of the device are not obtained from the data dictionary, communication is automatically established between the data dictionary and a data

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central for obtaining the names of the variables the data dictionary being thereafter automatically updated with the names of the variables obtained from the data central [Krishnamurthy, the integrated site server, non-networkable devices, non-data devices, col 18 lines 40-45].

15. As per claim 20, Krishnamurthy discloses establishing communication between the data dictionary and the data central is accomplished via a hyper-text markup language link [Krishnamurthy, HTML, col 7 lines 54-65].

16. As per claim 21, Krishnamurthy discloses dynamically updating the data dictionary with the type of the device, the protocol and language for establishing communication with the type of the device and the names of the variables associated with the type of the device [Krishnamurthy, update database, col 8 lines 25-47].

17. As per claim 22, Krishnamurthy discloses a computer system for communicating with a device connected to the system at a network address by the use of a data agent which communicates with the device using the specific protocol and/or language of the device, said system comprising:

a data engine [Krishnamurthy, SNMP engine, col 16 lines 17-42; 17 lines 10-34];

a plurality of data agents operatively connected to the data engine, at least two of

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the data agents being adapted to utilize a different language and/or protocol for communicating with the device [Krishnamurthy, instrumentation drivers and port drivers, col 9 lines 8-24]; and

a data dictionary connected to the data engine, said data dictionary being adapted to provide names of variables corresponding to both the network address and to the language and/or protocol of the device, wherein the data engine uses the names of the variables provided by said data dictionary to obtain values of the variables from the device [Krishnamurthy, MIB database, col 13 lines 50-65].

18. As per claim 23, Krishnamurthy discloses including a data central operatively connected to the data dictionary, wherein if the names of the variables are not obtained from the data dictionary communication is automatically established between the data dictionary and the data central for obtaining the names of the variables, the data dictionary being thereafter automatically updated with the names of the variables obtained from the data central [Krishnamurthy, the integrated site server, non-networkable devices, non-data devices, col 18 lines 40-45].

19. As per claim 24, Krishnamurthy discloses establishing communication between the data dictionary and the data central is via a hyper-text markup language link [Krishnamurthy, HTML, col 7 lines 54-65].

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20. As per claim 25, Krishnamurthy discloses the data dictionary and/or the data central are adapted to provide the names of variables associated with a type of the device [Krishnamurthy, database with name, class and variables, col 11 lines 39-63].

21. As per claim 26, Krishnamurthy discloses the data dictionary and/or the data central are adapted to provide the names of the variables based upon a selected variable key [Krishnamurthy, database with name, class and variables, col 11 lines 39-63, select driver, col 11 line 64-col 12 line 22].

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

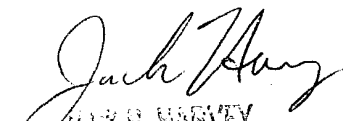
Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final	(703) 746-7238
Official:	(703) 746-7239
Non-Official	(703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
Art Unit 2142



JACK E. HARVEY
SUPERVISORY PATENT EXAMINER